

OFFICE OF THE CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
280 SOUTH FIRST STREET, ROOM 2112  
SAN JOSE, CALIFORNIA 95113-3095

JANUARY 13, 2022

FILED  
JAN 20 2022

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
SAN JOSE OFFICE

TO: THE HONORABLE EDWARD J. DAVILA

SUBJECT: EXTENSION OF TIME TO OPPOSE DEFENDANT'S  
MOTION FOR SUMMARY JUDGEMENT

DEAR YOUR HONOR,

I AM RESENDING THIS REQUEST FOR EXTENSION  
OF TIME TO OPPOSE DEFENDANT'S MOTION FOR SUMMARY  
JUDGEMENT BECAUSE I BELIEVE THAT MY FIRST LETTER  
DID NOT HAVE MY CASE #, ALSO I WAS NOT ALLOWED TO  
MAKE A VISIT TO THE LAW LIBRARY YET TO LOOK UP THE  
RULES OF COURT, WE ARE ON MORE RESTRICTIVE MOVEMENT  
DUE TO MORE POSITIVE COVID CASES.

TO DATE I HAVE NOT RECEIVED MY PAPERWORK OR  
PLU STATUS BACK FROM THE LIBRARY, I AM ALSO  
ENCLOSING THE NEW MODIFICATION ORDER, THANK  
YOU FOR TAKING THE TIME TO READ THIS LETTER.

F-27522  
SINCERELY, MICHAEL NICKELSON  
SAN QUENTIN STATE PRISON SN-661  
SAN QUENTIN, CA 94974  
CASE # NO. 5:20-CV-06326-EJD

2 EXHIBITS ENCLOSED

EXHIBIT 1

ATTACHMENT A

STATE OF CALIFORNIA  
CDCR 3022A (REV. 03/14)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

## DAILY PROGRAM STATUS REPORT PART A – PLAN OF OPERATION / STAFF &amp; INMATE NOTIFICATION

Describe only this reporting period's specific Plan of Operation  
Upon completion, distribute to ensure all staff and inmate awareness

PLAN EFFECTIVE FOR DATE: January 13, 2022	INSTITUTION: CSP- San Quentin	PROGRAM STATUS NUMBER: SQ-II-22-001	
<input type="checkbox"/> NORMAL PROGRAM	<input checked="" type="checkbox"/> MODIFIED PROGRAM	<input type="checkbox"/> LOCKDOWN	<input type="checkbox"/> STATE OF EMERGENCY <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<input type="checkbox"/> INITIAL	<input checked="" type="checkbox"/> UPDATE	<input type="checkbox"/> CLOSURE	
RELATED INFORMATION (CHECK ALL THAT APPLY)			
AREA AFFECTED		INMATES AFFECTED	REASON
<input checked="" type="checkbox"/> INSTITUTION: CSP-San Quentin	<input checked="" type="checkbox"/> ALL	<input type="checkbox"/> BATTERY	
<input type="checkbox"/> FACILITY:	<input type="checkbox"/> SECURITY THREAT GROUP(S):	<input type="checkbox"/> DEATH	
<input type="checkbox"/> HOUSING UNIT:		<input type="checkbox"/> RIOT / DISTURBANCE	
<input type="checkbox"/> HOUSING LEVEL:		<input type="checkbox"/> THREATS	
<input type="checkbox"/> OTHER:	<input type="checkbox"/> OTHER	<input type="checkbox"/> CONTINUING VIOLENCE	
		<input type="checkbox"/> MEDICAL QUARANTINE:	
		<input checked="" type="checkbox"/> OTHER: COVID PRECAUTIONS	
MOVEMENT		WORKERS	DAYROOM
<input type="checkbox"/> NORMAL	<input type="checkbox"/> NORMAL	<input type="checkbox"/> NORMAL:	
<input checked="" type="checkbox"/> ESCORT ALL MOVEMENT	<input checked="" type="checkbox"/> CRITICAL WORKERS ONLY- N95 and PPE required	<input checked="" type="checkbox"/> NO DAYROOM ACTIVITIES:	
<input type="checkbox"/> UNCLOTHED BODY SEARCH PRIOR TO ESCORT	<input type="checkbox"/> CULINARY	<input checked="" type="checkbox"/> MODIFIED: H-Unit	
<input type="checkbox"/> IN RESTRAINTS	<input type="checkbox"/> CLERKS		
<input type="checkbox"/> CONTROLLED MOVEMENT	<input type="checkbox"/> VOCATION/EDUCATION	RECREATION	
<input type="checkbox"/> OTHER:	<input type="checkbox"/> CANTEEN	<input type="checkbox"/> NORMAL	
	<input type="checkbox"/> CLOTHING ROOM	<input type="checkbox"/> NO RECREATIONAL ACTIVITIES:	
FEEDING		RESTRICTED WORK PROGRAM	<input checked="" type="checkbox"/> MODIFIED: Yard Release by housing unit
<input type="checkbox"/> NORMAL	<input checked="" type="checkbox"/> PORTERS N95 and PPE required		
<input checked="" type="checkbox"/> IN-DORM FEEDING- Facility B	<input type="checkbox"/> NO INMATE WORKERS	CANTEEN	
<input checked="" type="checkbox"/> CONTROLLED FEEDING IN DINING ROOM	<input type="checkbox"/> OTHER:	<input type="checkbox"/> NORMAL	
<input checked="" type="checkbox"/> HOUSING UNIT/DORM AT A TIME	<input type="checkbox"/> SHOWERS	<input type="checkbox"/> NO CANTEEN	
<input type="checkbox"/> DORM / POD AT A TIME	<input type="checkbox"/> NORMAL	<input checked="" type="checkbox"/> MODIFIED: By housing unit	
<input type="checkbox"/> TIER AT A TIME	<input type="checkbox"/> ESCORTED	PACKAGES	
<input type="checkbox"/> HOUSING UNIT SECTION AT A TIME	<input type="checkbox"/> ONE INMATE PER SHOWER – OWN TIER	<input type="checkbox"/> NORMAL	
<input type="checkbox"/> SACK MEAL BREAKFAST	<input checked="" type="checkbox"/> TIER SEPARATED BY BAR – OWN TIER	<input type="checkbox"/> NO PACKAGES	
<input type="checkbox"/> SACK MEAL LUNCH	<input type="checkbox"/> DORM SHOWERING BY GROUP	<input checked="" type="checkbox"/> MODIFIED: By housing unit	
<input type="checkbox"/> SACK MEAL DINNER	<input checked="" type="checkbox"/> CRITICAL WORKERS ONLY		
DUCATS		<input type="checkbox"/> NO SHOWERS	PHONE CALLS
<input type="checkbox"/> NORMAL	HEALTH CARE SERVICES	<input type="checkbox"/> NORMAL	
<input checked="" type="checkbox"/> CLASSIFICATION DUCATS- Microsoft Teams	<input type="checkbox"/> NORMAL PROGRAM	<input type="checkbox"/> NO PHONE CALLS	
<input checked="" type="checkbox"/> PRIORITY DUCATS ONLY	<input checked="" type="checkbox"/> PRIORITY DUCATS ONLY	<input checked="" type="checkbox"/> LEGAL CALLS	
<input type="checkbox"/> OTHER:	<input type="checkbox"/> CONDUCT ROUNDS IN UNITS	<input checked="" type="checkbox"/> MODIFIED: CLEANING BETWEEN USES	
VISITING		<input checked="" type="checkbox"/> ESCORTED TO TREATMENT AREA	RELIGIOUS SERVICES
<input checked="" type="checkbox"/> NORMAL VIDEO VISTING	<input type="checkbox"/> EMERGENCY ONLY	<input type="checkbox"/> NORMAL	
<input type="checkbox"/> NON-CONTACT ONLY	<input checked="" type="checkbox"/> MEDICATION DISTRIBUTION	<input checked="" type="checkbox"/> CHAPLAINS CONDUCT ROUNDS	
<input checked="" type="checkbox"/> NO GENERAL VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> MODIFIED:	
<input checked="" type="checkbox"/> LEGAL VISITING- Urgent/emergency via phone or video conference	<input type="checkbox"/> NORMAL		
<input type="checkbox"/> OTHER:	<input checked="" type="checkbox"/> PLU <input type="checkbox"/> GLU		

## EXHIBIT 2

## ATTACHMENT A

STATE OF CALIFORNIA  
CDCR 3022A (REV. 03/14)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

**REMARK:** On Sunday, January 9 2022, the California Department of Corrections and Rehabilitation has implemented statewide program modifications and directed all institutions to develop local modifications to reduce staff and inmate staff exposure to the coronavirus (COVID-19), within its facilities. Hence, out of an abundance of caution to protect the health and well-being of staff and the offender population, these extraordinary measures have included statewide modifications/suspension of all rehabilitative groups, education and vocation classes, religious gatherings, in-person visiting, family visits, and other programs/gatherings that inhibit social distancing (recommended 6ft between individuals). Locally, Facility A will feed in the dining hall. Two (2) inmates per table. Tables shall be cleaned in between use. H-unit will have in-dorm feeding. H-Unit Dorm inmates are allowed modified dayroom, with a maximum limit of 10 individuals at a time, to be monitored by Dorm staff, who will enforce 'Social Distancing' in common areas. Leisure and Law Library are facilitated via the PLU/paging system. Medication Distribution will continue at pill pass, with an emphasis on social distancing. All housing unit healthcare rounds, to include the collection of CDCR Form 7362, will be noted in the housing unit logbook by healthcare staff. Medical appointments will be reviewed by medical and will be based on medical necessity. When escorted to the CHSB, inmates that display symptoms shall wear mask, and be kept in separate waiting areas, away from the rest of the inmate population. All other escorts/groups are to remain separated by group, from inmates in other housing units. Only critical workers assigned to HFM, Food Services, Canteen, PIA Warehouse, PIA and R&R, when requested, shall be released to work assignments, after being screened by housing unit. Phones, including non-confidential legal phone calls, shall continue with cleanings between individual uses. Arrangements for confidential legal calls (reserved for actual BPH hearings and emergent issues involving important legal rights) shall be coordinated through the Litigation Coordinator's Office. Shower groups are separated by bars (front/back), with a continued emphasis on social distancing, with cleanings between each individual use. Critical Workers are allowed daily showers when returning from work assignments. Outside recreational activity will be on a rotating basis on the Lower Yard by housing unit. See attached schedule.

**Quarantine Precautions:** Quarantine units will follow the general COVID precautions stated above with following exceptions: No inmate workers shall be released to their work assignments. Quarantine units will be kept separate waiting areas away from the rest of the inmate population. Canteen and packages will be delivered to the cell front / dorm. Laundry exchange will be done at the cell front / dorm. Inmates housed in quarantine will be escorted separately, and kept in separate waiting areas away from the rest of the inmate population at all times. virus.

On Thursday, January 13, 2022, Alpine is on medical quarantine due to inmates testing positive for the COVID-19 virus. Alpine shall follow the quarantine precautions stated above.

On Thursday, January 13, 2022, Facility B, H-Unit, is on medical quarantine due to inmates testing positive for the COVID-19 virus. H-unit shall follow the quarantine precautions stated above. H-unit shall have outside recreational activity on a rotating schedule (one dorm at a time).

REVIEWED BY:	DATE:	NAME / SIGNATURE (WARDEN)	DATE:	NAME/SIGNATURE (ASSOCIATE DIRECTOR)	DATE:
Lt. R. Gardea	1/17/22	R. BROOMFIELD, Warden	1-17-22	P. COVELLO, Associate Director (A)-Reception Center Mission.	

MICHAEL NICKERSON F.77522  
SAN QUINTIN STATE PRISON SN-66L  
SAN QUINTIN, CA 94974

SAN FRANCISCO CA 940

18 JAN 2022 PM 2 L

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NORTHERN DISTRICT OF CALIFORNIA  
280 SOUTH FIFTH STREET, ROOM 2112  
SAN JOSE, CALIFORNIA 95113-3025

55113-300837

-ATTN-LEGAL MAIL



87490

11.14.2022  
N.R.A. STAMPED

1-14-22

-ATTN - LEGAL MAIL